

those different fees on an airline ticket.

Well, there was some progress on this earlier in the year when the Department of Transportation proposed a rule to require airlines to disclose bag fees to consumers when they purchased a ticket. Last week, however, the White House directed the Department of Transportation—the administration did this for all of those airline holiday travelers. They put a big lump of coal in their Christmas stockings when they abruptly canceled the proposed rule of the Department of Transportation that you were going to know what those fees were upfront when you purchased the ticket, along with another rule that would have required airlines to tell the public how much money the airline is charging for all the other ancillary fees. Those proposed rules were withdrawn. Well, that is just not in the interest of the traveling public. That is not in the interest of consumers, and it should not be any skin off the airlines' back to just show what the fees are upfront so the consumer understands that.

Indeed, a new revenue source for the airlines is to have these additional charges. That is not what this Senator is arguing with, as long as those fees are properly and clearly disclosed.

Let me give you another example. Last year, on the FAA bill we passed into law, it required the Department of Transportation to implement two basic rules to protect airline customers—two very simple rules. The first was, if you have checked a bag and you have paid the airline a certain amount of money to check that bag, what happens if your bag doesn't arrive or if it is delayed beyond a certain number of hours? Shouldn't the airline, at least, refund that fee you paid for that bag to be delivered in a timely fashion? Well, it is a pretty simple concept. If you pay \$50 for a checked bag, you expect it to arrive with you, and if it doesn't, you should get an automatic refund. That is common sense, but the Department of Transportation hasn't done anything on that, and it is in the law. It is in the law we passed last year.

I will give you another example. The second requirement we put in last year's FAA bill is that airlines, when they seat children 13 or under, put them adjacent to a parent or an older sibling traveling with them. So the Department of Transportation, earlier in the year, designed a rule to ensure that parents would not have to fork over money for a preferred seat just to be able to sit next to their child.

The Department of Transportation was supposed to have finalized both of these rules by July of this year, but to date they have done nothing. Consumers traveling during the holidays are going to have the experience, if your bag doesn't show, since the rule hasn't been put in place by the Department of Transportation, even though it is the law that was passed last year—what is going to happen? Passengers

with delayed bags will be losing out on the money they paid to check their bag, even if it doesn't get to them in a timely fashion.

What is going to happen to the parent with the underaged child? They are going to be boarding planes wondering if they will be able to beg someone to give up their seat just to sit next to their child, even though that may be a preferred seat; in other words, a seat that costs more money.

Just about everyone else will be left playing airline fee roulette, not knowing what the new fee is that they are going to have to pay just to get the basic service. It is so common sense, why do we have to fight about this? We are not arguing that the airline doesn't have the right to charge the fee; we just want it disclosed to the person who is purchasing that ticket. It doesn't have to be the way it is now because consumers should have a right to know ahead of time what they are paying, and then they can compare options. When an airline charges a fee for a service, if they failed to deliver that service, passengers ought to get their money back. This is called basic fairness, but that is not what we are seeing out there.

I urge the leadership of the Department of Transportation—Secretary Chao and her staff—to go ahead and implement those two regulations that emanate from the law we passed and to do it quickly. I urge the Department of Transportation to treat airline passengers like they ought to be treated, which is as valued customers during this holiday season, as in every season.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MORAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAPO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Leonard Steven Grasz, of Nebraska, to be the United States Circuit Judge for the Eighth Circuit.

Mitch McConnell, Richard Burr, John Cornyn, Michael B. Enzi, Johnny Isakson, Chuck Grassley, Mike Crapo, Ron Johnson, Roger F. Wicker, Marco Rubio, Mike Rounds, Steve Daines, Lindsey Graham, Shelley Moore Capito, Cory Gardner, James E. Risch, Jeff Flake.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination

of Leonard Steven Grasz, of Nebraska, to be United States Circuit Judge for the Eighth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Mississippi (Mr. COCHRAN), the Senator from Arizona (Mr. MCCAIN), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 47, as follows:

[Rollcall Vote No. 312 Ex.]

#### YEAS—48

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Collins	Hoeven	Sasse
Corker	Inhofe	Scott
Cornyn	Isakson	Shelby
Cotton	Johnson	Strange
Crapo	Kennedy	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Wicker
Fischer	Murkowski	Young

#### NAYS—47

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Coons	Leahy	Udall
Cortez Masto	Manchin	Van Hollen
Donnelly	Markey	Warner
Duckworth	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Murphy	

#### NOT VOTING—5

Blunt	McCain	Schatz
Cochran	Rubio	

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 47.

The motion is agreed to.

The Senator from North Dakota.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. HOEVEN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. CORNYN, the following statement was ordered to be printed in the RECORD.)

## VOTE EXPLANATION

• Mr. RUBIO. Mr. President, due to my mother's hospitalization and illness, I must remain in Florida and missed today's vote.●

## TRIBUTE TO STAFF

Mr. STRANGE. Mr. President, today I wish to recognize the remarkable staff that has worked this year in my Senate offices. Individually, they bring expertise and professionalism to their tireless efforts on behalf of our State. Together, they have united in honorable service to the people of Alabama. It is with pride and admiration that I recognize Virginia Amason, Will Batson, Morgan Blankenship, Brent Blevins, Melissa Clarke, Paula Cox, David Daniels, Valerie Day, Avis DuBose, Jon Foltz, Jacob Gattman, Jordan Howard, Taylor Jetmundsen, John Little, Sandy Luff, Shanderla McMillan, Cecelia Meeks, Nick Moore, Maria Olson, Jake Proctor, Duncan Rankin, June Reeves-Weir, Cody Sanders, Jeff Sommer, Drew Tatum, Shana Teehan, Susan Thompson, Kevin Turner, Brookley Valencia, Dylan Vorbach, and Zandra Wilson.

As they continue their careers of public service, this staff bears the esteem of a grateful State and my utmost gratitude for a job well done.

## ADDITIONAL STATEMENTS

## TRIBUTE TO JACQUELINE S. GILLAN

• Mr. BROWN. Mr. President, today I wish to celebrate the career and accomplishments of an exceptional public safety advocate and a dear friend, Jacqueline S. Gillan. Jackie is a legend in the public health and public safety community. As both a public servant and as the president of Advocates for Highway and Auto Safety, she has championed the three cornerstones of traffic safety: safer drivers, safer vehicles, and safer roads. Her career in public service began in the government affairs office of the U.S. Department of Transportation, in the Carter administration. She went on to hold senior policy positions in the U.S. Senate and with three State transportation agencies, New Jersey, California, and the great state of Ohio, which is when I first met Jackie.

After leaving public service, she continued to fight for safer roads for all Americans. Jackie helped to launch Advocates nearly three decades ago and has been at the helm of Advocates since 1990. She has led with extraordinary vision, dogged determination, and keen political judgment.

Jackie helped pass numerous Federal and State laws advancing motor vehicle and motor carrier safety standards. She was instrumental in achieving major advances, including requirements for airbags, electronic stability

control, and back-up cameras. Her advocacy efforts had a significant impact on a dozen major transportation bills, ranging from the Intermodal Surface Transportation Efficiency Act in 1991 to the Fixing America's Surface Transportation Act in 2015.

A decade ago, after a tragic accident killed five members of Ohio's Bluffton University baseball team, I worked together with Jackie, Congressman JOHN LEWIS, Senator Kay Bailey-Hutchison, and many brave families—including John and Joy Betts—whose loved ones were killed in motorcoach crashes to enact the Nation's first comprehensive motorcoach safety law, the Motorcoach Enhanced Safety Act. It took longer than it should have to pass this commonsense bill into law, but Jackie was there every step of the way, helping us fight for these lifesaving safety improvements.

A native Californian, Jackie's introduction to public service began at home. Her father, Henry Gillan, served on the city council and was elected mayor of El Cerrito. Now, after decades fighting for the safety of ordinary Americans, Jackie has earned a long and happy retirement spent with her husband, Ernie Beyard; her children, Kristin Beyard and Alex Beyard; and Barkley, an exuberant English springer spaniel who is frequently sighted on walks around Capitol Hill.

There is no question countless lives have been saved and injuries averted and that many families will enjoy the upcoming holidays safely together because of Jackie's work. We are so grateful.●

## REMEMBERING RAY TREVINO

• Mr. HELLER. Mr. President, today I wish to memorialize Raymond Trevino, a man who gave so much to the people of Reno and who recently passed away at the age of 74.

Known for his kind spirit and generous heart, Mr. Trevino was widely known for helping those in need receive a warm, healthy meal. Mr. Trevino, who first started as a volunteer a quarter of a century ago, served as the dining room director at Catholic Charities of Northern Nevada's St. Vincent Dining Room.

It should go without saying that Mr. Trevino, Catholic Charities of Northern Nevada's longest serving employee, was a compassionate man who made a positive impact in the community. As the Reno Gazette-Journal recently noted, it is estimated that he served over 1 million meals to low-income and homeless people during his 25 years of service.

Before setting up the dining room, Mr. Trevino, an Army veteran, was a casino food and beverage executive and the owner of five restaurants.

Mr. Trevino was honored with the Mother Theresa Humanitarian Award in 2013 for his work helping those in need. He was also presented with the Dolan Service Award by Dolan Auto

Group for assisting struggling individuals and families in the community.

As a testament to the legacy he leaves behind, at this year's annual Thanksgiving, over 200 volunteers came out to participate in the lunch and help feed more than 1,000 people. During the lunch, attendees paid tribute to Mr. Trevino's work and shared memories of his years of service.

As Nevada's senior U.S. Senator, I know that Mr. Trevino will be sorely missed. My thoughts and prayers go out to his family and loved ones during this difficult time.●

## REMEMBERING JUDGE FRED L. FOX II

• Mr. MANCHIN. Mr. President, today I wish to honor the Honorable Fred L. Fox, a proud Vietnam veteran and West Virginian, noble public servant, and very dear friend of mine, who left a significant imprint on our home State of West Virginia.

Fred was born in Charleston and raised in Sutton in lovely Braxton County. His grandfather, Fred Fox, Sr., or "grandfox," was a lawyer, a State senator, and a West Virginia Supreme Court justice. His father, John Fox, was a prosecuting attorney in Braxton County for more than a decade. Despite this family tradition, Fred grew up determined that he did not want to be a lawyer.

He loved our country, and after graduating from the Greenbrier Military Academy in 1956 and Davis and Elkins College in 1960, he enlisted in the U.S. Marine Corps and served from 1960 to 1963. Once he returned home with his new perspective, he finally did follow in his family's footsteps and enrolled at West Virginia University's College of Law, ranking second in his class, and remained in the Marine Corps Reserves.

Fred also graduated from the Naval Justice School in Newport, RI. His success in these endeavors prepared him for his first law experience at Furbee, Amos, Webb and Critchfield, a local firm in Fairmont. Fred began working as a personal attorney for my father and our lifelong friendship began.

However, soon after joining the firm at the height of the Vietnam war, Fred again answered the call of duty. He wanted to be a combat marine because, in his words, "It was the right thing to do." After nearly a year as an infantry company commander, Fred was wounded. He was awarded a Purple Heart, two Bronze Stars with combat "V," and two Vietnamese Crosses of Gallantry with Gold Star. Due to his injuries, Fred retired as a captain in 1969. I can recall Fred saying, "You don't win Bronze Stars, they're awarded to you." His experience during Vietnam set the groundwork for how he viewed the rest of his endeavors. In his opinion, he certainly faced pressure as a judge, but he had already faced so much as a marine that nothing ever quite compared.

Even now, I remember Fred so clearly with his globe and anchor marine